

MT LEGISLATIVE HISTORY

Chapter 521 19 87

Bill (H) 896 S _____

Original bill & hist. ✓

H. Committee on Hwy & Transp.

S. Committee on Hwy & Transp.

Hearing Date(s) MAR 26 ✓ C

Hearing Date(s) APR 4 ✓ C

_____ C

_____ C

_____ C

_____ C

_____ C

_____ C

Date Out MAR 26 ✓ C

APR 4 ✓ C

Did this bill originate in an interim committee? Yes No

Committee _____

Report _____

HOUSE BILL NO. 896

INTRODUCED BY MERCER, HARPER, PHILLIPS, SCHYE, STANG,
ROTH, DEVLIN, HANSON, EUDAILY, POFF, CORNE', NELSON,
GIACOMETTO, SWYSGOOD, HAMMOND, SPAETH, COBB, MEYERS, LORY,
ADDY, DARKO, RAPP-SVRCEK, D. BROWN, GRADY, C. SMITH, KELLER,
MILES, STRIZICH, DAILY, BULGER, JONES, REHBERG, PETERSON,
WALLIN, MENKE, SWITZER, BRANDEWIE

IN THE HOUSE

MARCH 24, 1987

INTRODUCED AND REFERRED TO COMMITTEE
ON HIGHWAYS & TRANSPORTATION.

MARCH 27, 1987

COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

PRINTING REPORT.

MARCH 31, 1987

SECOND READING, DO PASS AS AMENDED.

APRIL 1, 1987

ENGROSSING REPORT.

THIRD READING, PASSED.
AYES, 94; NOES, 1.

TRANSMITTED TO SENATE.

IN THE SENATE

APRIL 2, 1987

ON MOTION, RULES SUSPENDED TO ALLOW
RECEIPT OF HB NO. 896 FROM THE HOUSE.

INTRODUCED AND REFERRED TO COMMITTEE
ON HIGHWAYS & TRANSPORTATION.

APRIL 6, 1987

COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

APRIL 7, 1987

SECOND READING, CONCURRED IN.

APRIL 8, 1987

THIRD READING, CONCURRED IN..
AYES, 50; NOES, 0.

RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 11, 1987

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 13, 1987

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

1 *THH* *House* BILL NO. *896*
 2 INTRODUCED BY *Marco Harris Phillipa Selgeberg*
Daria M. Hansen
 3 *Enclarily* *Peggy Coppe* *Wendy Dineen*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A CONTINGENT *Meyers*
Hammond *Grace*
 5 INCREASE IN THE FUEL CONSERVATION SPEED LIMIT; AMENDING *Long*
 6 SECTION 61-8-304, MCA; AND PROVIDING A CONTINGENT EFFECTIVE *Joe Bean*
 7 DATE." *Grady C. Smith* *Keller Miles* *Shirley*
 8 *Wally Bulger* *Redden* *Peterson* *Wendy* *Switz*
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 61-8-304, MCA, is amended to read:

11 "61-8-304. Fuel conservation speed limit -- exception
 12 to the basic rule. (1) In order to insure conservation of a
 13 resource, the speed limit for vehicles traveling on a
 14 federal-aid interstate highway is 65 miles an hour and the
 15 speed limit for vehicles traveling on any other public
 16 highway of this state is 55 miles an hour, except as
 17 provided under 61-8-309.

18 (2) A speed limit imposed pursuant to this section is
 19 an exception to the requirements of 61-8-303 and 61-8-312,
 20 and a speed in excess of the speed limit established
 21 pursuant to this section is unlawful notwithstanding any
 22 provision of 61-8-303 and 61-8-312."

23 NEW SECTION. Section 2. Effective date. This act is
 24 effective if and when the federal law that requires a speed
 25 limit as a condition to the state's eligibility to receive

1 federal highway funds is amended to permit a speed limit of
 2 65 miles an hour on rural federal-aid interstate highways.
 3 If the federal law is amended in this manner, this act
 4 becomes effective on the date the governor by proclamation
 5 certifies that the speed limit of 65 miles an hour for rural
 6 interstate highways is allowed.

-End-

APPROVED BY COMMITTEE
ON HIGHWAYS & TRANSPORTATION

1 *TH* House BILL NO. 896
2 INTRODUCED BY *M. Hansen* *Phillips* *Stam*
3 *Enclary* *Copie* *Disconeto*
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A CONTINGENT
5 IMPROVE IN THE FUEL CONSERVATION SPEED LIMIT; AMENDING
6 SECTION 61-8-304, MCA; AND PROVIDING A CONTINGENT EFFECTIVE
7 DATE." *Grady C. Smith* *Keller* *Hiles* *Hyatt*
8 *Wally Balzer* *Riddan* *Tolson* *Wain* *Switz*
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6 interstate highways is allowed.

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2 INTRODUCED BY MERCER, HARPER, PHILLIPS, SCHYE, STANG,

3 ROTH, DEVLIN, HANSON, EUDAILY, POFF, CORNE', NELSON,

4 GIACOMETTO, SWYSGOOD, HAMMOND, SPAETH, COBB, MEYERS, LORY,

5 ADDY, DARKO, RAPP-SVRCEK, D. BROWN, GRADY, C. SMITH, KELLER,

6 MILES, STRIZICH, DAILY, BULGER, JONES, REHBERG, PETERSON,

7 WALLIN, MENKE, SWITZER, BRANDEWIE

8
9 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A CONTINGENT
10 INCREASE IN THE FUEL CONSERVATION SPEED LIMIT ON RURAL
11 FEDERAL-AID INTERSTATE HIGHWAYS; AMENDING SECTION 61-8-304,
12 MCA; AND PROVIDING A CONTINGENT EFFECTIVE DATE."
13

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17 to the basic rule. (1) In order to insure conservation of a
18 resource, the speed limit for vehicles traveling on a
19 federal-aid interstate highway OUTSIDE AN URBANIZED AREA OF
20 50,000 POPULATION OR MORE is 65 miles an hour and the speed
21 limit for vehicles traveling on FEDERAL-AID INTERSTATE
22 HIGHWAYS WITHIN AN URBANIZED AREA OF 50,000 POPULATION OR
23 MORE OR ON any other public highway of this state is 55
24 miles an hour, except as provided under 61-8-309.

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1 an exception to the requirements of 61-8-303 and 61-8-312,
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 ADDY, DARKO, RAPP-SVRCEK, D. BROWN, GRADY, C. SMITH, KELLER,
 MILES, STRIZICH, DAILY, BULGER, JONES, REHBERG, PETERSON,
 WALLIN, MENKE, SWITZER, BRANDEWIE

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A--CONTINGENT
 AN IMMEDIATE INCREASE IN THE FUEL CONSERVATION SPEED LIMIT
 ON RURAL FEDERAL-AID INTERSTATE HIGHWAYS; AMENDING SECTION
 61-8-304, MCA; AND PROVIDING A--CONTINGENT AN IMMEDIATE
 EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-8-304, MCA, is amended to read:

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 to the basic rule. (1) In order to insure conservation of a
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50,000 POPULATION OR MORE is 65 miles an hour and the speed
limit for vehicles traveling on FEDERAL-AID INTERSTATE
HIGHWAYS WITHIN AN URBANIZED AREA OF 50,000 POPULATION OR
MORE OR ON any other public highway of this state is 55
 miles an hour, except as provided under 61-8-309.

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 an exception to the requirements of 61-8-303 and 61-8-312,
 and a speed in excess of the speed limit established
 pursuant to this section is unlawful notwithstanding any
 provision of 61-8-303 and 61-8-312."

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~~federal highway funds is amended to permit a speed limit of~~
~~65 miles an hour on rural federal aid interstate highways.~~
~~If the federal law is amended in this manner, this act~~
~~becomes effective on the date the governor by proclamation~~
~~certifies that the speed limit of 65 miles an hour for rural~~
~~interstate highways is allowed~~ ON PASSAGE AND APPROVAL.

-End-

STANDING COMMITTEE REPORT

SENATE

April 4 1987

WE, THE PRESIDENT

We, your committee on Highways & Transportation

having had under consideration House Bill No. 896

third reading copy (blue) color

"AN ACT PROVIDING A CONTINGENT INCREASE IN THE FUEL CONSERVATION SPEED LIMITE ON RURAL FEDERAL-AID INTERSTATE HIGHWAYS: AMENDING SECTION 61-8-304, MCA: AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Rep. Mercer (Senator Tveit)

respectfully report as follows: That House Bill No. 896

1. Title, line 9.
Strike: "A CONTINGENT"
Insert: "AN IMMEDIATE"
2. Title, line 12.
Strike: "A CONTINGENT"
Insert: "AN IMMEDIATE"
3. Page 2, lines 6 through 13.
Following: "effective" on line 6
Strike: the remainder of line 6, through "allowed" on line 13.
Insert: "on passage and approval"

AS AMENDED
CONCURRED IN

Senator Larry Tveit
Senator Larry Tveit Chairman.

4/6/87
8:55
JJS

MINUTES OF THE MEETING
HIGHWAYS & TRANSPORTATION COMMITTEE
MONTANA STATE SENATE

April 4, 1987

The meeting of the Highways and Transportation Committee was called to order at 8:00 a.m., on April 4, 1987, by Chairman Larry Tveit, in Room 410 of the State Capitol.

ROLL CALL: All members of the Highways and Transportation Committee were present except Senator Abrams and Senator Williams who were excused.

CONSIDERATION ON HOUSE BILL 896: Representative Mercer, House District No. 50, sponsor of the bill, testified that House Bill 896 would change the speed limit in Montana from 55-miles per hour to 65-miles per hour. This change in the speed limit was due to the bill that is being passed in the United States Congress changing the speed limit nationwide from 55-miles an hour to 65-miles per hour. The original bill was passed by both the House of Representative and the Senate; it was vetoed by President Reagan but the veto was overridden by members of Congress allowing the states to change the speed limit.

The speed limit would insure conservation of a resource for vehicles traveling on a federal-aid interstate highway outside an urbanized area of 50,000 or more, such as Billings, Great Falls and Missoula. The change in the speed limit would not affect areas where the speed limit is posted in the urban areas.

Representative Mercer presented proposed amendments to House Bill 896. (See Exhibit 1)

PROPONENTS: Bill Goznell, Department of Highways, informed the committee that once House Bill 896 passed the Highway Department will begin posting the new signs for the 65-miles speed limit. The Highway Department is already changing the signs from 55-miles per hour to 65 miles per hour.

OPPONENTS: There were no opponents.

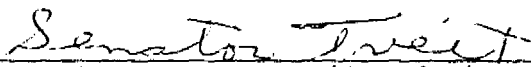
QUESTIONS FROM THE COMMITTEE: The committee questioned Representative Mercer as to what statistics show the percent of the driver's who become fatigued driving 55 miles per hour is. Representative Mercer responded by saying that he has statistics for everything and he would say that going 65-miles per hour causes less fatigue for the driver than 55-miles per hour.

The committee asked Representative Mercer when he felt Congress would be overriding the President's veto giving the states the power to change from 55-miles per hour to 65-miles per hour. He responded by saying that the House of Representatives overrode the veto and that the Senate would be overriding the veto within a day or so.

CLOSING: Representative Mercer closed by saying as soon as the committee passes House Bill 896, we can get House Bill 896 on the floor of the Senate and back to the House of Representatives. The Governor will then be able to sign House Bill 896 and Montana will once again have a 65-mile speed limit.

DISPOSITION OF HOUSE BILL 896: A motion was made and seconded that House Bill 896 BE CONCURRED IN AS AMENDED. Motion carried unanimously.

The meeting was adjourned.



Senator Larry Tveit, Chairman

ROLL CALL

HIGHWAYS & TRANSPORTATION COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 8/4/87

----- Highway - HB 896 -----

NAME	PRESENT	ABSENT	EXCUSED
Chairman: Larry Tveit	✓		
Vice Chairman: Lawrence Stimatz	✓		
Senator Hubert J. Abrams	✓		✓
Senator William Farrell	✓		
Senator Tom Hager	✓		
Senator Sam Hofman	✓		
Senator Ray Lybeck	✓		
Senator Darryl Meyer			
Senator Cecil Weeding	✓		
Senator Bob Williams			✓

Each day attach to minutes.

STANDING COMMITTEE REPORT

April 4 19 37

MR. PRESIDENT

We, your committee on Highways & Transportation

having had under consideration House Bill No. 396

third reading copy (blue)
color

**"AN ACT PROVIDING A CONTINGENT INCREASE IN THE FUEL CONSERVATION
SPEED LIMITE ON RURAL FEDERAL-AID INTERSTATE HIGHWAYS: AMENDING
SECTION 61-3-394, MCA: AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

Rep. Mercer (Senator Tveit)

Respectfully report as follows: That House Bill 396 No. 396

1. Title, line 9.
Strike: "A CONTINGENT"
Insert: "AN IMMEDIATE"
2. Title, line 12.
Strike: "A CONTINGENT"
Insert: "AN IMMEDIATE"
3. Page 2, lines 6 through 13.
Following: "effective" on line 6
Strike: the remainder of line 6, through "allowed"
on line 13.
Insert: "on passage and approval"

AND AS AMENDED
BE CONCURRED IN

~~DO NOT PASS~~

~~DO NOT PASS~~

Senator Larry Tveit

Chairman

50th LEGISLATIVE SESSION

HIGHWAYS

COMMITTEE

HOUSE BILL NUMBER	ENTERED COM. DATE	DATE CON- SIDERED	OUT OF COM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMENDED DATE	DO NOT PASS AS AMENDED DATE	BE CON- CURRED IN DATE	BE NOT CON- CURRED IN DATE	BE CON- CURRED IN AMENDED DATE	BE NOT CONCURREN IN AS AMENDED DATE
607	2/4/87	2/17/87				2/17/87					
650	2/7/87	2/17/87				2/17/87					
656	2/7/87	2/17/87	tabled								
786	2/17/87	2/19/87	tabled								
896	3/24/87	3/26/87				3/26/87					
HOUSE JOINT RESOLUTION											
5	1/12/87	1/20/87				1/20/87					

Use a separate sheet for Senate Bills, House Bills, and Resolutions.

MINUTES OF THE MEETING
HIGHWAYS & TRANSPORTATION COMMITTEE
50TH LEGISLATIVE SESSION
HOUSE OF REPRESENTATIVES

March 26, 1987

Rep. John Harp, Chairman, called the meeting to order at 1:00 p.m. in room 317 of the Capitol, Helena.

ROLL CALL

All committee members were present except Representatives William Glaser, Roland Kennerly and Clyde Smith. Mary McCue, researcher for the committee was present.

Bills to be heard were HB 896 and SB 396.

HOUSE BILL 896

Rep. John Mercer, House District #50, Flathead Lake District, sponsored HB 896 which is an act providing a contingent increase in the fuel conservation speed limit, amends 61-8-304, and provides a contingent effective date. It raises the speed limit on federal-aid interstate highways to 65 miles an hour, leaving the speed limit at 55 miles per hour on other public highways. There were many representatives' signatures on this bill.

PROPONENTS - None

OPPONENTS - None

EXECUTIVE SESSION

HOUSE BILL 896

Rep. Swysgood made a motion that HB 896 DO PASS. Motion was adopted unanimously.

QUESTIONS (OR DISCUSSION) FROM THE COMMITTEE

HOUSE BILL 212

HB 212 provides for a commercial vehicle operator's license program. Rep. Swysgood said the subcommittee addressed some of the concerns in this bill and developed some amendments, EXHIBIT #1, addressing committee concerns. The federal government is going to mandate some rules and this bill will alleviate a lot of problems. Rep. Swysgood moved the first amendment dealing with the requirement for a commercial vehicle operator's license be adopted. A hazardous material

DAILY ROLL CALL

HIGHWAYS & TRANSPORTATION COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date

[illegible]

STANDING COMMITTEE REPORT

March 26

1957

Mr. Speaker: We, the committee on HIGHWAYS & TRANSPORTATION
report HOUSE BILL 896

☒ do pass

☐ do not pass

☐ be concurred in

☐ be not concurred in

☐ as amended

☐ statement of intent attached

REP. JOHN HARR

Chairman

MS
First

White

reading copy ()
color